## IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

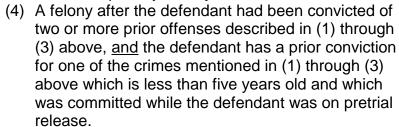
Un	ited States of America,	)	
	Plaintiff,	) 8:02CR177 )	
	vs.	) ) DETENTION ORDER )	
Tin	nothy A. Kruse,	)	
	Defendant.	)	
A.	Order For Detention After conducting a detention hearing purs Reform Act, the Court orders the above-r U.S.C. § 3142(e) and (i).	suant to 18 U.S.C. § 3142(f) of the Bail named defendant detained pursuant to 18	
B.	The Court orders the defendant's detention X  By a preponderance of the evidence conditions will reasonably assure to required.  X  By clear and convincing evidence	ion because it finds: nce that no condition or combination of the appearance of the defendant as	
C.	that which was contained in the Pretrial S  X (1) Nature and circumstances of the second seco	acy to Manufacture Methamphetamine; uipment with Knowledge is a serious crime and carries a imprisonment. of violence.	
		<u> </u>	

## DETENTION ORDER - Page 2

			X X X	The defendant has no family ties in the area. The defendant has no steady employment. The defendant has no substantial financial resources. The defendant is not a long time resident of the community.
				The defendant does not have any significant community ties.
				Past conduct of the defendant:
			_X	The defendant has a history relating to drug abuse. The defendant has a history relating to alcohol abuse. The defendant has a significant prior criminal record.
			X	
		41.	<b>A .</b>	court proceedings.
		(b)	At the ti	ime of the current arrest, the defendant was on:  Probation  Parole
				Release pending trial, sentence, appeal or completion of sentence.
		(c)	Other F	
				The defendant is an illegal alien and is subject to deportation.
				The defendant is a legal alien and will be subject to
				deportation if convicted.
				The Bureau of Immigration and Customs Enforcement (BICE) has placed a detainer with the U.S. Marshal.
				Other:
X	(4)	releas	se are as	d seriousness of the danger posed by the defendant's follows:
		N	<u>on-comp</u>	liance with prior court orders
X	(5)	Rebu	ttable Pr	resumptions
				that the defendant should be detained, the Court also
				ollowing rebuttable presumption(s) contained in 18 U.S.C. ch the Court finds the defendant has not rebutted:
	Χ	•	` '	condition or combination of conditions will reasonably
		_ ( /	assure	the appearance of the defendant as required and the
				of any other person and the community because the Court
			tinds th	at the crime involves:  (1) A crime of violence; or
				(2) An offense for which the maximum penalty is life imprisonment or death; or

DETENTION ORDER - Fag	36.3	
X	_ (3)	A controlled substance violation which has a
		maximum penalty of 10 years or more; or
	_ (4)	A felony after the defendant had been convic

DETENTION ODDED Dogg 2



		10.0001		
_X_	(b)	That no condition or combination of conditions will reasonably		
		assure the appearance of the defendant as required and the		
		safety of the community because the Court finds that there is		
		probable cause to believe:		
		X (1) That the defendant has committed a controlled		
		substance violation which has a maximum penalty of		

10 years or more. (2) That the defendant has committed an offense under 18 U.S.C. § 924(c) (uses or carries a firearm during and in relation to any crime of violence, including a crime of violence, which provides for an enhanced punishment if committed by the use of a deadly or dangerous weapon or device).

## D. Additional Directives

Pursuant to 18 U.S.C. § 3142(i)(2)-(4), the Court directs that:

- 1. The defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable from persons awaiting or serving sentences or being held in custody pending appeal; and
- 2. The defendant be afforded reasonable opportunity for private consultation with counsel; and
- That, on order of a court of the United States, or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED: March 3, 2006.

BY THE COURT:

s/ F. A. Gossett United States Magistrate Judge